

Message

From: Kathleen Heideman [gadmin@savethewildup.org]
Sent: 4/5/2018 8:22:27 PM
To: Kristi Wilson, DEQ WRD [wilsonk17@michigan.gov]
CC: Burdick, Melanie [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=bc0fae2c6b7a43ec8b577d3689229aea-MHaveman]; Van Dyke, Jill (DEQ) [VandykeJ1@michigan.gov]; Mining Action Group [miningactiongroupupec@gmail.com]; [Personal Matters / Ex. 6]; John Coleman [jcoleman@glifwc.org]
Subject: Aquila Back Forty - Technical Memo by Tom Myers
Attachments: BackForty_Myers-memo040418.docx

Dear Ms. Wilson,

On behalf of the UPEC Mining Action Group and the Menominee River Front 40, we asked Hydrologic Consultant Dr. Tom Myers to review Aquila Resources' recent response to the Michigan DEQ. Please find his memorandum, attached.

Rather than answering questions raised by the Michigan DEQ, Aquila/Foth have offered a re-assertion of previous material without additional evidence. The applicant made fundamental erroneous assumptions and has used arbitrary data to ensure that their modeling support predetermined conclusions. They are defending the "perched" or "upland" wetland assumptions, for example, but don't offer evidence to support the hydrological claim. Fundamental errors arise from the applicant's mixing of metric measures with English, as well as "measured water levels" with "modeled water levels." We remain concerned that the applicant manipulated or omitted data, or failed to collect adequate site data, a point previously raised in our written comments:

According to Volume I, "Table 3-2, Aquila Wetlands Determination of Potential Wetland Impacts - Operations Phase", the applicant claims that "WL-C1 Complex that includes WL-40/41 is a valley-bottom wetland, and "MODFLOW" fluxes were used. However, the "upland southwestern tip" of wetland WL-40/41 which lies within the project boundary was defined as an upland wetland, and the "Darcy Flux method was used to analyze this portion of the wetland separately." The impacts to a single wetland should be calculated using a single method. Calculations such as this one – using one method for the "tip" of a larger wetland complex – strains credibility. Wetlands cannot be simultaneously perched and tied to groundwater. The applicant should be asked to recalculate drawdown impacts, treating the entire wetland complex using the MODFLOW flux method. The applicant's desire to define wetlands by their topographic position is unsupported. Wetlands in the same complex are not simultaneously perched and tied to groundwater.

Thank you for the opportunity to provide Dr. Myer's supplemental comments regarding the Aquila Back Forty Wetland Permit application.

We ask the State of Michigan to deny this permit application.

K.

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"Let difficulties know that you, too, are difficult." — Dr. Abdul Kalam

"Pay attention. It's all about paying attention. Attention is vitality. It connects you with others. It makes you eager. Stay eager." — Susan Sontag

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Mining Action Group

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Note: the Mining Action Group was previously known as Save the Wild U.P., which merged to become part of the [Upper Peninsula Environmental Coalition](#) (UPEC). P.O. Box 673 Houghton MI 49931
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